

Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2011

Date filed: March 1, 2011

Name of company covered by this certification: Uno Communications, Inc.

Form 499 Filer ID: 827532

Name of signatory: Carlo Capacci

Title of signatory: President

I, Carlo Capacci, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's Customer Proprietary Network Information (CPNI) rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by the company with either state commissions, the court system, or the Commission) against data brokers in the past year. I acknowledge that companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI, and I have no such information to report at this time.

The company has not received any customer complaints in the past year concerning the unauthorized release of or access to CPNI and I hereby acknowledge that if the company does receive any such complaints, it must provide that information to the Commission, including the number of customer complaints a company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to view the information.



Carlo Capacci, President

Statement Accompanying CPNI Certificate
EB Docket No. 06-36

Uno Communications, Inc. (the "Company") does not use, disclose or permit access to Customer Proprietary Network Information ("CPNI") except as permitted or required by law pursuant to 47 U.S.C. § 222. The safeguards set forth in Sections I and J below are followed by the Company, and, to the extent that the Company finds it necessary to use, disclose or permit access to CPNI, the operating procedures in Sections A-H below are observed.

A. Definitions. The terms used in this Statement have the same meaning as set forth in 47 §64.2003.

B. Use of CPNI. It is the Company's policy that the Company may use, disclose, or permit access to CPNI for the purpose of providing or marketing service offerings among the categories of service (i.e., local, interexchange, and interconnected VOIP) to which the customer already subscribes from the Company, without customer approval.

To the extent that the Company provides different categories of service, and a customer subscribes to more than one category of service offered by the Company, the Company may share CPNI among the Company's affiliated entities that provide a service offering to the customer. However, to the extent that the Company provides different categories of service, but a customer does not subscribe to more than one offering, the Company does not share CPNI with its affiliates, except by following the requirements described herein.

The Company does not use, disclose, or permit access to CPNI to market to a customer any service offerings that are within a category of service to which the subscriber does not already subscribe from the Company, unless the Company has customer approval to do so. The Company does not use, disclose or permit access to CPNI to identify or track customers that call competing service providers.

Notwithstanding the forgoing, it is the Company's policy that the Company may use, disclose, or permit access to CPNI to protect the rights or property of the Company, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services.

C. Customer Approvals.

It is the Company's policy that the Company may obtain approval through written, oral or electronic methods. The Company acknowledges that it bears the burden of demonstrating that any oral approvals have been given in compliance with the Commission's rules. The Company honors all approvals or disapprovals to use, disclose, or permit access to a customer's CPNI until the customer revokes or limits such approval or disapproval. The Company maintains records of approval, regardless of the form of such approval, for at least one year.

Opt-Out and Opt-In Approval Processes. It is the Company's policy that it may, subject to opt-out approval or opt-in approval, use its customer's individually identifiable CPNI for the purpose of marketing communications-related services to that customer. It is the Company's policy that it may, subject to opt-out approval or opt-in approval, disclose its customer's individually identifiable CPNI, for the purpose of marketing communications-related services to that customer, to its agents and its

affiliates that provide communications-related services; and its joint venture partners and independent contractors who do the same. It is the Company's policy that it may also permit such persons or entities to obtain access to such CPNI for such purposes. Except as provided herein, or as otherwise provided in Section 222 of the Communications Act of 1934, as amended, the Company only uses, discloses, or permits access to its customers' individually identifiable CPNI subject to opt-in approval.

D. Notice Required For Use Of Customer Proprietary Network Information. It is the Company's policy that prior to any solicitation for customer approval, notification is provided to the customer of the customer's right to restrict use of, disclosure of, and access to that customer's CPNI. The Company maintains such records of notification, whether oral, written or electronic, for at least one year. It is the Company's policy that individual notice to customers is provided when soliciting approval to use, disclose, or permit access to customers' CPNI.

E. Notice Content Requirements. Company notices must comply with the following requirements:

1. Notices must provide sufficient information to enable the customer to make an informed decision as to whether to permit the Company to use, disclose, or permit access to, the customer's CPNI.
2. Notices must state that the customer has a right, and the Company has a duty, under federal law, to protect the confidentiality of CPNI.
3. Notices must specify the types of information that constitute CPNI and the specific entities that will receive the CPNI, describe the purposes for which CPNI will be used, and inform the customer of his or her right to disapprove those uses, and deny or withdraw access to CPNI at any time.
4. Notices must advise the customer of the precise steps the customer must take in order to grant or deny access to CPNI, and must clearly state that a denial of approval will not affect the provision of any services to which the customer subscribes.
5. Notices must be comprehensible and must not be misleading.
6. To the extent that written Notices are provided, the Notices are clearly legible, use sufficiently large type, and are placed in an area so as to be readily apparent to a customer.
7. If any portion of a Notice is translated into another language, then all portions of the Notice must be translated into that language.
8. The Notice may state that the customer's approval to use CPNI may enhance the Company's ability to offer products and services tailored to the customer's needs. The Notice may also state that the Company may be compelled to disclose CPNI to any person upon affirmative written request by the customer.
9. Notices may not include in the notification any statement attempting to encourage a customer to freeze third-party access to CPNI.
10. Notices must state that any approval, or denial of approval for the use of CPNI outside of the

service to which the customer already subscribes from the Company is valid until the customer affirmatively revokes or limits such approval or denial.

11. The Company's solicitation for approval must be proximate to the Notice of a customer's CPNI rights.

(a) Notwithstanding state law to the contrary, the Company shall not notify customers or disclose the breach to the public until 7 full business days have passed after notification to the USSS and the FBI, except as provided in paragraphs (b) and (c).

(b) If the Company believes that there is an extraordinarily urgent need to notify any class of affected customers sooner than otherwise allowed under paragraph (a), in order to avoid immediate and irreparable harm, it will so indicate in its notification and may proceed to immediately notify its affected customers only after consultation with the relevant investigation agency. The Company will cooperate with the relevant investigating agency's request to minimize any adverse effects of such customer notification.

(c) If the relevant investigating agency determines that public disclosure or notice to customer would impede or compromise an ongoing or potential criminal investigation or national security, such agency may direct the carrier not to so disclose or notify for an initial period of up to 30 days. Such period may be extended by the agency as reasonably necessary in the judgment of the agency. If such direction is given, the agency shall notify the carrier when it appears that the public disclosure or notice to affected customers will no longer impede or compromise a criminal investigation or national security. The agency shall provide in writing its initial direction to the carrier, any subsequent extension, and any notification that notice will no longer impede or compromise a criminal investigation or national security and such writings shall be contemporaneously logged on the same reporting facility that contains records of notifications filed by the Company.

(3) Customer Notification. After the Company has notified law enforcement pursuant to paragraph (2), it will notify its customers of breach of those customers' CPNI.

(4) Recordkeeping. The Company will maintain a record, electronically or in some other manner, of any breaches discovered, notifications made to the USSS and the FBI pursuant to paragraph (2), and notifications made to customers. The record will include, if available, dates of discovery and notification, a detailed description of the CPNI that was the subject of the breach, and the circumstances of the breach. The Company will maintain the record for a minimum of 2 years.